

Appl. No. 10/782,027

Attorney Docket No. 03-0266 (Formerly 370044-00002)

Amdt. Dated November 29, 2006

Reply to USPTO Communication of August 29, 2006

REMARKS

In this Response, the listing of claims, in particular claims 8, 40, 65, and 66, reflect Examiner's Amendment as stated in Notice of Allowability mailed August 29, 2006 and Applicants' communication to the Office transmitted on August 15, 2006.

Further, Applicants have amended dependent claims 59 and 64 presented in this Amendment under 37 CFR 1.312, which depend directly from allowable claim 57. Claim 59 has been amended to correct an inadvertent typographical error that repeated the phrase "tension leveling and coiling of the aluminum alloy sheet". Claim 64 has been amended to correct for an inadvertent typographical error in the listing of the T temper alloys. Support in the Specification for the 2xxx, 6xxx, and 7xxx alloys can be found in paragraphs [0006] and [0045] of the published US patent application US2005/0183801 or Page 2, lines 16-19 and Page 8, lines 31-32 of the originally-filed Specification.

It is Applicants' intent to request consideration of amended claims 59 and 64, which are written in dependent form or otherwise include all the limitations of an allowed claim 57. Therefore, Applicants respectfully request that this Amendment under 37 CFR 1.312 and the claims presented therein be entered for the following reasons:

(A) this amendment is needed for proper protection of the invention;

(B) no substantial amount of additional work is required on the part of the Office since the claims have been previously examined and require no additional search, being now all dependent, either directly or indirectly, upon allowed claim 57;

(C) the amended claims 59 and 64 are clearly patentable since they all depend, either directly, from allowed claim 57, therefore, further patentably restricting the invention; and

(D) the typographical errors were discovered on a routine final and comprehensive review of the allowed claims.

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Further, Applicants have amended the Specification Paragraphs 0020, 0022, 0023, 0024, 0054, 0055, 0066, 0067, and 0068 as follows:

(a) Paragraph 0020 added the phrase "with pre-quench" for clarity. Support for the additional terms can be found in the original Specification, Paragraph 0054, "cooled sample (6b)". Applicants have not added new subject matter;

(b) Paragraphs 0022, 0023, 0024, and 0055 to include reference to Figs. 7e, 7f, and 7g in Response to the Notice of Drawing Inconsistency with Specification mailed on October 6, 2006. Applicants have not added new subject matter;

(c) Paragraph 0054 has been amended on line 3 to change "Fig. 6" to "Fig. 6a—". An unintentional typographical error omitted the figure "letter" following the number "6". The change is necessary because there is no Figure 6, only Figures 6a and 6b. The amendment is supported by the last sentence of the original Specification, Paragraph 54, that compares the grain size of Figures 6a and 6b and states the grain size of Fig. 6b as "20 μm in longitudinal and 27 μm in transverse direction, which are 7 and 9 μm , respectively, finer than those observed in the sheet which had no pre-quench cooling (6a)". Therefore, the grain size of the sample shown in Fig. 6a is 27 μm in longitudinal and 36 μm in transverse direction, which are the same grain sizes as stated in the first sentence of Paragraph 0054. Applicants have not added new subject matter; and

(d) Paragraph 0066, 0067, and 0068 amendments delete reference to Table 6 and Figure 8. Table 6 was unintentional omitted from the application when filed. Since Table 6 was not relied on for allowance of the claims, the specification is still enabling and supports the allowed claims without Table 6. Figure 8 of Paragraphs 0067 and 0068 should have been Figure 9, which was unintentional omitted from the application when filed. Since Figure 9 was not relied on for allowance of the claims, the specification is still enabling and supports the allowed claims without Figure 9. Applicants have not added new subject matter.

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Therefore, Applicants respectfully request that this Amendment under 37 CFR 1.312 and the replacement paragraphs presented therein be entered for the following reasons:

(A) this amendment is needed for proper protection of the invention;

(B) no substantial amount of additional work is required on the part of the Office since the claims have been previously examined and require no additional search;

(C) the allowed claims are clearly patentable since the added matter is supported in the original specification and the deleted matter was not relied on for the previous determination of patentable subject matter; and

(D) the typographically errors were discovered on a routine final and comprehensive review of the specification.

Since no greater number of claims are presented herein than have been originally presented in this application, no additional fees are required. Although no fee is required, the Commissioner for Patents is hereby authorized to charge any deficiencies to or credit any overpayment to Deposit Account No.01-1000, Order No. 03-0266.

It is respectfully submitted that the present application is in condition for allowance. If the Examiner would like to suggest changes of a formal nature to place this application in better condition for allowance, a telephone call to Applicants' undersigned attorney would be appreciated.

Respectfully submitted,

PTO Customer No.
08840


Harry A. Hild, Jr. - Reg. No. 51,803
Attorney for Applicant
Alcoa Intellectual Property
Alcoa Technical Center
100 Technical Drive - Bldg C
Alcoa Center, PA 15069
Phone 724.337.4726
Fax 724.337.5959